

YEE WON *v.* WHITE, AS COMMISSIONER OF
IMMIGRATION, PORT OF SAN FRANCISCO.

CERTIORARI TO THE CIRCUIT COURT OF APPEALS FOR THE
NINTH CIRCUIT.

No. 209. Submitted April 20, 1921.—Decided May 16, 1921.

A Chinese person who lawfully entered the United States as the minor son of a Chinese merchant, but whose status here became that of a laborer, held not entitled to bring in his wife and minor children, married and born during his temporary absence in China. P. 400. 258 Fed. Rep. 792, affirmed.

THE case is stated in the opinion.

Mr. M. Walton Hendry and Mr. John L. McNab for petitioner. *Mr. Joseph P. Fallon* was also on the brief.

The Solicitor General for respondent.

MR. JUSTICE McREYNOLDS delivered the opinion of the court.

The courts below denied petitioner's application for a writ of *habeas corpus* to secure release of his wife and minor children, who, having been denied admission upon their

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well defined purpose of Congress would be impeded rather than facilitated by permitting entry of the wives and minor children of Chinamen who first came after the ratification of the treaty, as members of an exempt class, and later assumed the status of laborers. We think our statutes exclude all Chinese persons belonging to the class defined as laborers except those specifically and definitely exempted, and there is no such exemption of a resident laborer's wife and minor children.

The judgment of the court below is

Affirmed.

MR. JUSTICE CLARKE dissents.